

Mr Alkhamisi
Flat 4 31 Easter Drylaw Place
Edinburgh
EH4 2QJ

Decision date: 2 May 2023

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Retrospective change of use from Residential to Short Term Let (sui-generis)
At Flat 1 2 Gardner's Crescent Edinburgh EH3 8BZ

Application No: 22/05490/FULSTL

DECISION NOTICE

With reference to your application for Planning Permission STL registered on 4 November 2022, this has been decided by **Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

1. No conditions are attached to this consent.

Reason for Refusal:-

1. The proposal is contrary to Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as the use of this dwelling as a short stay let will have a materially detrimental effect on the living conditions and amenity of nearby residents.
2. The proposal is contrary to National Planning Framework Policy 30(e) in respect of Local Amenity and Loss of Residential Accommodation, as the use of this dwelling as a short stay let will result in an unacceptable impact on local amenity and the loss of a residential property has not been justified.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01, 02, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact James Armstrong directly at james.armstrong@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may appeal to the Scottish Ministers under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The appeal can be made online at www.eplanning.scot or forms can be downloaded from that website and sent to the Planning and Environmental Appeals Division, 4 The Courtyard, Callendar Business Park, FALKIRK FK1 1XR.

2. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

**Application for Planning Permission STL
Flat 1 2 Gardner's Crescent, Edinburgh, EH3 8BZ**

**Proposal: Retrospective change of use from Residential to Short
Term Let (sui-generis)**

**Item – Delegated Decision
Application Number – 22/05490/FULSTL
Ward – B11 - City Centre**

Recommendation

It is recommended that this application be **Refused** subject to the details below.

Summary

The proposal complies with Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed building or its setting and it will preserve or enhance the character or appearance of the conservation area.

The change of use of this property to a short term let (STL) will have an unacceptable impact on neighbouring amenity. The loss of the residential accommodation has not been justified. Whilst it is recognised that there is an economic benefit to the City as a whole from the provision of visitor accommodation, in this case it does not outweigh the adverse impact from the loss of residential accommodation and impact on neighbouring amenity.

The proposal does not comply with the Development Plan policy NPF 4 policy 30(e) and LDP policy Hou 7. There are no material considerations that outweigh this conclusion. The proposal is unacceptable.

SECTION A – Application Background

Site Description

The application site is a one bedroom ground floor flat, located on the north eastern side of Gardner's Crescent. The property shares its access to the street with other properties via a communal stair.

Gardner's Crescent is predominantly residential in character, however the section of road near to the application site on Morrison Street includes a range of commercial uses including restaurants, cafes, hotels and the Edinburgh International Conference Centre. Public Transport links are relatively accessible from the site.

The application site falls within the West End Conservation Area.

The application property forms part of a Category A Listed Building, 1-25A (Inclusive Numbers) Gardner's Crescent and 109-115 (Odd Numbers) Morrison Street, Including Railings, Edinburgh, LB28797, 14/12/1970

Description Of The Proposal

The application is for a change of use from Residential to Short Term Let (STL) (sui-generis). No internal or external physical changes are proposed.

For the avoidance of doubt, planning statements 1 and 2, received during the assessment of the application, outline a proposed pattern of use of the property materially different from the change of use to STL that has been applied for. A further application would need to be made to the planning authority for the proposal described in planning statements 1 and 2 to be assessed.

Supporting Information

- Planning Statements 1 and 2.
- Supporting document 1.

Relevant Site History

No relevant site history.

Other Relevant Site History

No other relevant site history was identified.

Consultation Engagement

Historic Environment Scotland

Publicity and Public Engagement

Date of Neighbour Notification: 2 May 2023

Date of Advertisement: 18 November 2022

Date of Site Notice: 18 November 2022

Number of Contributors: 5

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) and being within a conservation area, this report will first consider the proposals in terms of Sections 59 and 64 of the

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- a) Is there a strong presumption against granting planning permission due to the proposals:
- (i) harming the listed building or its setting? or
 - (ii) conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?
- b) If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations; and
- any other identified material considerations.

Assessment

a) The proposals harm the listed building or its setting?

The following HES guidance is relevant in the determination of this application:

- Managing Change in the Historic Environment: Guidance on the principles of listed buildings
- Managing Change in the Historic Environment: Setting

Managing Change in the Historic Environment: Interim Guidance on the principles of listed building consent sets out the principles for assessing the impact of a development on a listed building.

Managing Change in the Historic Environment: Setting sets out the principles that apply to developments affecting the setting of historic assets or places including listed

buildings and conservation areas. It includes factors to be considered in assessing the impact of a change on the setting.

There are no external or internal alterations proposed. As such, the proposal will not have an adverse impact on or cause harm to the listed building. The setting of the listed building and the setting of neighbouring listed buildings will be unaffected by the proposal.

Conclusion in relation to the listed building

The proposal does not harm the character of the listed building, its setting, or the setting of neighbouring listed buildings. It is therefore acceptable with regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) The proposals harm the character or appearance of the conservation area?

The following HES guidance is relevant in the determination of this application:

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

West End Conservation Area Character appraisal states:

The West End Conservation Area Character Appraisal emphasises that the area is characterised by mixed, residential commercial buildings. The central section of the conservation area is a major modern financial area consisting of modern offices. The Georgian and Victorian tenements within the area are mainly 4-6 storeys, and constructed of stone with pitched, slated roofs.

As stated previously, there are no external changes proposed. Therefore, the impact on the character and appearance of the conservation area is acceptable.

Conclusion in relation to the conservation area

The proposals are acceptable with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

c) The proposals comply with the development plan?

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4.

The relevant NPF4 and LDP 2016 policies to be considered are:

- NPF4 Sustainable Places Tackling the climate and nature crises Policy 1.
- NPF 4 Historic Assets and Places Policy 7.
- NPF4 Productive Places Tourism Policy 30.
- LDP Housing Policy Hou 7.
- LDP Transport Policies Tra 2 and Tra 3.

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering historic assets.

The non-statutory 'Guidance for Businesses' (2023) is a material consideration that is relevant when considering change of use applications.

Listed Buildings, Conservation Area and World Heritage Site

There are no external or internal works proposed and as such there will not be a significant impact on historic assets or places. The proposal complies with NPF 4 Policy 7.

Proposed Use

With regards to NPF 4 Policy 1, the proposed change of use does not involve operational development resulting in physical changes to the property. The proposals will have a negligible impact on the global climate and nature crisis.

NPF 4 Policy 30 seeks to encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland. Criterion 30 (b) and (e) specifically relate to STL proposals.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas), seeks to protect residential amenity.

The non-statutory Guidance for Businesses (2023) states that an assessment of a change of use of dwellings to a short term let will have regard to:

- The character of the new use and of the wider area;
- The size of the property;
- The pattern of activity associated with the use including numbers of occupants, the period of use, issues of noise, disturbance and parking demand and
- The nature and character of any services provided.

Amenity

The application property is accessed via a communal stair and is located on a predominantly residential street. There is a moderate to low degree of activity in the immediate vicinity of the property at any time.

The use of the property as an STL would introduce an increased frequency of movement to the property and into the stair. The proposed one bedroom STL use would enable visitors to arrive and stay at the premises for a short period of time on a regular basis throughout the year in a manner dissimilar to that of permanent residents. There is no guarantee that guests would not come and go frequently throughout the

day and night, and transient visitors may have less regard for neighbours' amenity than individuals using the property as a principal home.

The additional servicing that operating a property as an STL requires compared to that of a residential use is also likely to result in an increase in disturbances, further impacting on neighbouring amenity.

This would be significantly different from the ambient background noise that neighbouring residents might reasonably expect and will have an unacceptable effect on the living conditions and amenity of nearby residents. The proposal does not comply with NPF 4 policy 30(e) part (i) and LDP policy Hou 7.

Loss of residential accommodation

NPF 4 policy 30 (e) part (ii) requires that where there is a loss of residential property this will only be supported where the loss is outweighed by demonstrable local economic benefits.

Paragraph 220 of the LDP acknowledges that tourism is the biggest source of employment in Edinburgh, providing jobs for over 31,000 people. The use of the property by guests and the required maintenance and upkeep of STL properties are likely to result in a level of job creation and spend within the economy which can be classed as having an economic benefit.

In Planning Statement 1 the applicant outlines that as the property is to be marketed to people visiting the city for a scientific or educational purpose, this will be of benefit to businesses in the city. Planning Statements 1 and 2 however also outline a use of the application property where the property would continue to function as the principal home of a permanent tenant who would sublet the entire dwelling as a short term let for a period of more than 90 days a year. The use proposed in planning statements 1 and 2 is materially different to the change of use proposed by the application. Only the use proposed by the application can be assessed.

The use of the property as an STL would result in the loss of residential accommodation, which given the recognised need and demand for housing in Edinburgh it is important to retain, where appropriate.

Furthermore, residential occupation of the property also contributes to the economy, in terms of providing a home and the spend in relation to the use of the property as a home, including the use of local services and resultant employment, as well as by making contributions to the local community.

In this instance it has not been sufficiently demonstrated that the loss of the residential accommodation is outweighed by demonstrable local economic benefits arising from the STL use. As such, the proposal does not comply with NPF 4 30(e) part (ii).

Parking Standards

There is no motor vehicle or cycle parking. This is acceptable as there are no parking requirements for STLs.

The proposal complies with LDP Policies Tra 2 and Tra 3.

Conclusion in relation to the Development Plan

The change of use of this property to an STL will have an unacceptable impact on neighbouring amenity. The loss of the residential accommodation has not been justified. Whilst it is recognised that there is an economic benefit to the City as a whole from the provision of visitor accommodation in this case it does not outweigh the loss of residential accommodation. The proposal does not comply with the Development Plan policy NPF 4 policy 30(e) and LDP policy Hou 7.

d) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

City Plan 2030 represents the settled will of the Council, and it has been submitted to Scottish Ministers for examination. As such, limited weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below:

4 objections
1 in support

material considerations in objection

- Impact on neighbouring residential amenity. Addressed in section c)
- Impact on neighbour's safety and perception of security. Addressed in section c).
- Impact on waste and recycling services. The property contains suitable refuse and recycling facilities for their proposed use.
- Over concentration of STLs in Tollcross. The change of use of one residential property to an STL will not have a significant impact on the local community, the local area's sense of place, and viability of nearby commercial uses.
- Loss of residential accommodation. Addressed in section c).
- Impact on congestion in the local area. Addressed in section c).
- Impact on the maintenance of buildings in a Conservation Area and Listed Buildings. Addressed in section c).
- Impact on the Conservation Area. Addressed in section c).
- Contradicts Local Development Plan policies. Addressed in section c)

material considerations in support

- None

non-material considerations

- Cause crime and anti-social behaviour.
- Overcrowding.
- Impact of STLs in general on neighbour's health.
- Impact on local rental prices.
- Sufficient STLs in the local area.

Conclusion in relation to other material considerations

The proposals do not raise any issues in relation to other material considerations identified.

Overall conclusion

The proposal complies with sections 64 and 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will preserve or enhance the character or appearance of the conservation area, and does not harm the character of the listed building, its setting, or the setting of neighbouring listed buildings.

The change of use of this property to an STL will have an unacceptable impact on neighbouring amenity. The loss of the residential accommodation has not been justified. Whilst it is recognised that there is an economic benefit to the city as a whole from the provision of visitor accommodation, in this case it does not outweigh the adverse impact from the loss of residential accommodation and impact on neighbouring amenity. The proposal does not comply with the Development Plan policy NPF 4 policy 30(e) and LDP policy Hou 7. There are no material considerations that outweigh this conclusion. The proposal is unacceptable.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions

1. No conditions are attached to this consent.

Reasons

Reason for Refusal

1. The proposal is contrary to Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as the use of this dwelling as a short stay let will have a materially detrimental effect on the living conditions and amenity of nearby residents.
2. The proposal is contrary to National Planning Framework Policy 30(e) in respect of Local Amenity and Loss of Residential Accommodation, as the use of this dwelling

as a short stay let will result in an unacceptable impact on local amenity and the loss of a residential property has not been justified.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 4 November 2022

Drawing Numbers/Scheme

01, 02

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: James Armstrong, Assistant Planning Officer
E-mail: james.armstrong@edinburgh.gov.uk

Appendix 1

Consultations

NAME: Historic Environment Scotland

COMMENT: No comments or objections.

DATE:

The full consultation response can be viewed on the Planning & Building Standards Portal.

Comments for Planning Application 22/05490/FULSTL

Application Summary

Application Number: 22/05490/FULSTL

Address: Flat 1 2 Gardner's Crescent Edinburgh EH3 8BZ

Proposal: Short-term letting planning permission (in retrospect).

Case Officer: Improvement Team

Customer Details

Name: Dr Paul Beswick

Address: 6 Gillespie Street, Edinburgh, EH3 9NH Edinburgh

Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:TOLLCROSS COMMUNITY COUNCIL

22 November 2022

Head of Planning

Department of City Development

City Development - Planning & Strategy

Waverley Court

4 East Market Street

Edinburgh EH8 8BG

Listed Category: A West End Conservation Area Short-term letting planning permission (in retrospect). at Flat 1 2 Gardner's Crescent Edinburgh EH3 8BZ

22/05490/FULSTL

Case Officer: Improvement Team

Tollcross Community Council would like to object to this application for a short term let in a flat in a tenement with a shared entrance. We object for the following reasons, many of which have been conveyed to us by local residents.

1. Nuisance caused to other residents of the stair:

a) Disturbance and noise - short-term lets bring an increased level of noise and disturbance. The

groups occupying the property on a short-term basis are almost always on holiday with the associated holiday mindset seven days a week. Most properties in Scotland do not have carpeted entrances and hallways as hotels do, so the banging of suitcases at all hours and the excited chatter of customers echoes at entrances and in hallways. There is additional noise and disturbance as groups bring their belongings in and out of properties, including dragging suitcases and banging them off walls and doors, damaging the paintwork. Cleaners and greeters attend to turn over each property between every short-term let, which can mean banging and vacuuming past midnight. Cleaners and laundry companies may leave trip hazards in shared areas such as large laundry bags. Some letting agencies offer "luggage drop off" services where suitcases are then left in common stairs to be retrieved by customers later.

b) Anti-social behaviour - Neighbours of short-term lets are almost guaranteed to experience anti-social behaviour from customers. Alcohol is a regular contributing factor which makes these situations particularly unpredictable and intimidating to deal with. Regular complaints have been made relating to waste disposal, parking issues, noise, people returning late at night or arriving early in the morning, customers ringing.

c) Security - The security of communal spaces is completely lost. Neighbours cannot tell who is supposed to be in the property and who is not, or who has keys to shared areas. The insecurity of a shared building is advertised by key safes which are installed without permission from neighbours or listed building consent. One doorway in this area has nine key boxes on the doorframe. There is evidence that short-term let customers are more likely to leave shared entrance doors open, which has resulted in residents coming home to unknown people using drugs, and engaging in other antisocial or threatening activities in their mutual shared areas. Residents of flats or properties with shared gardens are forced to share communal but still private areas of their homes with fee-paying strangers who they have never met before and are unlikely to meet again.

d) Overcrowding Short-term rentals often bring more than the advertised number of customers. Groups will also often invite their friends to visit and enjoy their short-term let bringing additional disturbance. Short-term let businesses often advertise for far more customers to stay than would normally reside in a property in relation to its size. In some instances, STLs have been used as party flats.

e) Waste disposal - Recycling is rarely carried out. Communal bins are often used and permanent residents are expected to manage putting out and collecting bins on behalf of the absent owners. Rubbish bags are often left out in communal stairs. Cleaners usually clean inside the short-term let properties but do not usually clean any shared areas. This leaves the residents to clear up after the customers or live in a poorer quality environment.

f) Mental health impacts - Residents draw huge comfort from a home which has a basic level of familiarity, stability and security. The regular intrusion of transient pleasure-seeking strangers is deeply unsettling. Neighbours of short-term lets regularly describe feeling acute stress, anxiety and other mental health impacts. This disproportionately impacts on disabled people, people with long term health conditions, people who live alone, children and young people.

2. An over-concentration of STLs in the Tollcross area and its consequences,

The very high concentration of STLs (coupled with increasing student residences) in central Edinburgh has consequences for the nature of the area and its demography. Parts of the centre are no longer part of a living city and have lost a large proportion of long-term residents. Some residents are being driven out of the city. Far too many tenements now have a majority of flats used as STLs. Furthermore, this causes a loss of facilities and shops that long-term residents rely upon and their replacement with facilities and shops that support tourists but not residents. This was a major reason given by residents moving out of Amsterdam.

The use of so many properties as STLs has an effect on property prices and rent levels with many residents on modest incomes no longer able to live in Edinburgh which we all acknowledge has a serious housing crisis.

It is for these reasons that we object to this application for a change of use and we hope that you will consider our objection favourably in your determination.

Yours faithfully,

Paul Beswick for Tollcross Community Council

Comments for Planning Application 22/05490/FULSTL

Application Summary

Application Number: 22/05490/FULSTL

Address: Flat 1 2 Gardner's Crescent Edinburgh EH3 8BZ

Proposal: Short-term letting planning permission (in retrospect).

Case Officer: Improvement Team

Customer Details

Name: Ms Giorgia Kerr

Address: 1/4 Gardner's Crescent Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I categorically object to the granting of a short-term let licence for this property. The Edinburgh Council should not be granting licences for short-term lets in the middle of a housing crisis. I work at the University of Edinburgh and witnessed large numbers of students who were unable to find adequate housing this year due to the unavailability and unaffordability of long-term/indefinite lease rental properties. This issue is not limited to students - many people have been left houseless or in inadequate temporary housing for months (or years), in part due to the amount of housing stock tied up in short-term lets in Edinburgh. It is unacceptable to be granting licences for short-term lets in the current economic conditions.

Furthermore, short-term lets are disruptive to the neighbourhood as they increase the overall cost of living in the area, and provide incentive and precedent for rent increases for other local tenants, or conversion of more of the neighbourhood into short-term lets. This jeopardises the safety and security of all local tenants, particularly those who are already the most vulnerable.

I understand that Edinburgh requires a great deal of short-term accommodation to maintain its tourism industry, but this should not be at the expense of residents, many of whom are already struggling financially.

Given the waitlists for council housing and the general lack of affordable housing, the Edinburgh Council should be protecting Edinburgh residents, not granting permission for one person to profit at their expense.

Comments for Planning Application 22/05490/FULSTL

Application Summary

Application Number: 22/05490/FULSTL

Address: Flat 1 2 Gardner's Crescent Edinburgh EH3 8BZ

Proposal: Short-term letting planning permission (in retrospect).

Case Officer: Improvement Team

Customer Details

Name: Mr William Pierce

Address: 1/4 Gardner's Crescent Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Absolutely not. We do not need any loud, temporary neighbors.

In a city in the midst of a housing crisis - which is already neck deep in short-term lets - we don't need or want anymore. Particularly in this neighborhood.

Comments for Planning Application 22/05490/FULSTL

Application Summary

Application Number: 22/05490/FULSTL

Address: Flat 1 2 Gardner's Crescent Edinburgh EH3 8BZ

Proposal: Short-term letting planning permission (in retrospect).

Case Officer: Improvement Team

Customer Details

Name: Dr The Architectural Heritage Society of Scotland

Address: 15 Rutland Square, Edinburgh EH1 2BE

Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The AHSS Forth & Borders Cases Panel has examined the proposals for the change of use to short-term let in an A-listed tenement within the West End Conservation Area, and objects.

- 1) The proposals only relate to one property within the tenement, which is accessed from a shared stair. This would have a detrimental impact on the residential amenity of neighbouring properties, and limits the future of the flats not included within the application.
- 2) The change of use would contribute to the unsustainable growth of the short term let (STL) sector in Edinburgh. The economic benefits of tourism for Edinburgh are clear, and we celebrate the role that our architectural heritage plays in this sector. However, the current rising rate of STLs threatens the sense of place and community which are part of the city's attraction.
- 3) Scottish Government Research has highlighted the links between STLs and the negative impacts of reduced availability of affordable housing, congestion and reduced quality of life through noise and disturbance (People, Communities and Places, October 2019, pp. iv-v)
- 4) With particular reference to architectural heritage the responsibility for the care and maintenance of communal areas and aspects of joint responsibility in listed buildings and conservation areas is diminished by the increase of short-term occupants.

The change of use does not respect the special characteristics of history and place reflected in the building's designation and location in the Conservation Area, and would increase the negative impacts caused by the growth of STLs in Edinburgh.

The proposals contradict Edinburgh Council's Local Development Plan policies DES1 (Sense of place), DES5 (amenity of neighbours/refuse and recycling facilities), ENV 4 (Risk of unnecessary damage to historic structures), and HOU7 (Materially detrimental effect on the living conditions of nearby residents). We therefore object to the application.

Comments for Planning Application 22/05490/FULSTL

Application Summary

Application Number: 22/05490/FULSTL

Address: Flat 1 2 Gardner's Crescent Edinburgh EH3 8BZ

Proposal: Short-term letting planning permission (in retrospect).

Case Officer: Improvement Team

Customer Details

Name: Mr Gavin Wilson

Address: 2/4 Gardners Crescent Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Following discussion with the owner of the property, I am now happy to support the application and withdraw my objection.



By email to:
james.armstrong@edinburgh.gov.uk

City of Edinburgh Council
Planning and Strategy
4 Waverley Court
East Market Street
Edinburgh
EH8 8BG

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our case ID: 300065041
Your ref: 22/05490/FULSTL
21 April 2023

Dear City of Edinburgh Council

Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013
Flat 1 2 Gardner's Crescent Edinburgh EH3 8BZ - Retrospective change of use from
Residential to Short Term Let (sui-generis)

Thank you for your consultation which we received on 11 April 2023. We have assessed it for our historic environment interests and consider that the proposals affect the following:

Ref	Name	Designation Type
LB28797	1-25A (Inclusive Numbers) Gardner's Crescent and 109-115 (Odd Numbers) Morrison Street, Including Railings, Edinburgh	Listed Building

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Yours faithfully

Historic Environment Scotland

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**